

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

Wesley Sydow and Theresa Sydow,)
)
)
Plaintiffs,)
)
)
v.) Case No. 3:14-cv-219
)
)
Weyerhaeuser Company, et al.,)
)
)
Defendants.)

**OWENS-ILLINOIS, INC.'S RESPONSE TO
PLAINTIFFS' MOTIONS TO RECONSIDER AND/OR FOR LEAVE TO AMEND**

Owens-Illinois, Inc. ("Owens-Illinois") submits this Response to Plaintiffs' Motions to Reconsider the Order Dated 8/22/14 Dismissing Owens-Illinois and/or for Leave to File an Amended Complaint (ECF No. 81).

Plaintiffs move to reconsider an order dismissing Owens-Illinois that does not exist in this record. Unlike the other complaints filed by Plaintiffs' counsel, the Plaintiffs' complaint in this case alleges that Mr. Sydow was exposed to asbestos from an Owens-Illinois product (Kaylo door cores) where the product was allegedly used during his employ (Roddis Plywood Corporation plant in the 1950s). *E.g.*, Pls.' Second Amend. Compl. ¶¶ 54, 74, ECF No. 81-2. Owens-Illinois disputes the allegations, but this dispute goes beyond the scope of a motion to dismiss.

For these reasons, Owens-Illinois does not oppose Plaintiffs' motion for leave to file an amended complaint and, at a later time, will file the appropriate motion.

Dated: October 3, 2014

Respectfully submitted,

By: /s/Brian O. Watson

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CERTIFICATE OF SERVICE

I certify that on October 3, 2014, these papers were filed with the Clerk of the Court for the United States District Court for the Western District of Wisconsin using the CM/ECF system, which will send notification of such filing upon all parties who have appeared.

/s/ Brian O. Watson
Brian O. Watson

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